P.R. No. 322/01
Presented on 23-2-01
M V Barenkar

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 310 OF 2001

BETWEEN

1. Mir Kasim Ali S/o Late Shri Mir Mohsin Ali, aged 44 years, r/o K-5 Anupam Nagar, Raipur .

2. Mir Aarif Ali S/o Late Shri Mir Mohsin Ali, aged 45 years, R/o K-6, Anupam Nagar, Raipur.

PETITIONERS

AND

1. The Debt Recovery Tribunal, Jabalpur, (Madhya Pradesh).

2. State Bank of Indore, A subsidiary of State Bank of India, Constituted under the State Bank of India (Subsidiary Banks) Act, 1959, having its Head Office at 5, Yashwant Niwas Road, Indore and branches interalia at Green Park, New Delhi , through its Chief Manager.

3. M/s Anmol Granites, A partnership firm, having its office at 220, Sector-14, Faridabad, (121002) Haryana, Through its partners :-

   a) Shri Amitabh Choudhary

   b) Shri Khalil Ahmed Ansari

   c), Shri Shanker Chawla .

4. Shri Amitabh Choudhary, S/o Late Shri Deb Prasad Choudhary, aged about 52 years, R/o 911, Sector-17, Faridabad (Haryana).

5. Shri Khalil Ahmed Ansari, S/o Late Shri S.M.I.Ansari, aged about 57 years, R/o A-6, Anupam Nagar, Raipur.

6. Shri Bhaskar Chawla, S/o Shri K.C.Chawla, aged about 40 years, R/o 817 Sector 15-A, 1st Floor, Faridabad (Haryana).

RESPONDENTS

226 &
WRIT PETITION UNDER ARTICLE/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.(S) No. 310 /2001.

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	9.3.2001 : Mr.M.Paranjpe for the petitioner. It is contended that until he came to know about the newspaper publication of Delhi wherein substituted service of summons was published concerning the petitioners. On coming to know about the newspaper publication the petitioners addressed a letter to the Registrar,Debt Recovery Tribunal requesting that summons be served to them at the given address. No response has come from the Registrar Matter is likely to be concluded in near future. ~~The said letter was given on 28.2.2001.~~ The matter which is pending before the Tribunal is fixed for 12.3.2001 for orders. It is submitted by Mr.Paranjpe that if the ~~maatter~~ matter is concluded without giving an opportunity of being heard and in fact of filing written statement, great pre-prejudice will be caused to them. It appears that at least petitioners should be given an opportunity to state their case before the tribunal. In the result this petition is disposed of as follows :- Let the petitioners be allowed to file the written statement before the Tribunal within a period	

[पीछे देखिये

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	..2.. आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	of 15 days from the receipt of certified copy of the order. The petitioners or their representatives shall be allowed to address the Tribunal before the matter is finally disposed of. As I have examined this limited aspect of the petition, I have to dispose of this petition without issuing the notices to the parties. I shall make it clear that final order shall be passed only after the written statement is filed by the writ petitioner and after giving due opportunity of hearing.	

Sd/-
Chief Justice